

REMARKS:

In response to the Restriction Requirement dated November 26, 2007, the Applicants hereby elect Group 1, claims 1-21. This election is made with traverse, and the Applicants respectfully request that the restriction requirement be withdrawn.

Claim 29 is new. Support for claim 29 may be found in the original claims. No new matter is added.

The Office issued a restriction requirement because the claims of Group I (1-21) and Group II (24-28) do not relate to a single general inventive concept under PCT 13.1. Specifically, Group I lacks a cooling apparatus and Group II lacks a second gas-permeable liquid barrier.

Independent claim 24 was filed exactly as suggested by the Office in the Office Action of April 12, 2007, under "allowable subject matter." The previous Office Action stated that the subject matter of a combination of claims 1 and 13 (cooling apparatus) would be allowable if written in independent form. Claim 1 was narrowed to claim the remaining alternative solution to the same problem, the second membrane.

In addition, the problem of the present application of page 1, last paragraph to page 2, first paragraph of the application reads:

"[...] to provide an apparatus and method to collect liquid samples and store them in a closed container, with the apparatus being simple and economical to produce, and suitable for miniaturization, and the method being suitable to enable an effective automation of the collection as well as of very small samples."

This problem is solved by the solution presented in the claim set subject to the previous Office Action:

1. Automatic sample collector (1) for liquids having
 - a collection container (3) or a plurality of collection containers (3) arranged in series which are connected to a supply line (2) through a liquid inlet (6),
 - a supply line (2) between the liquid inlets (6) of adjacent collection containers (3) with a liquid barrier (4) that is gas-permeable in dry condition and becomes permeable for liquids after a defined pressure difference is exceeded, and
 - an integrated apparatus that prevents the additional inflow to the collection container (3) through the liquid inlet (6) after the associated collection container (3) has been filled.

The last feature claiming the integrated apparatus is solved by both the second gas-permeable membrane as a first alternative and the cooling apparatus as a second alternative. The two alternatives were previously the subject matter of dependent claims. Hence, the two solutions to the problem of preventing an additional inflow to the collection container through the liquid inlet were provided. These two alternatives follow a common inventive concept.

Claim 29 serves as a linking claim to demonstrate how claims 1 and 24 are the same general inventive concept and to further underscore the arguments above.

Applicants reserve the right to pursue claims 24-28 in a divisional application.

Early and favorable action on the merits is awaited.

In view of the foregoing, the Applicants respectfully request that the restriction requirement be withdrawn.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Deposit Account No. 02-2135.

Respectfully submitted,

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